

UNITED STATES DISTRICT COURT
for the
EASTERN DISTRICT OF NORTH CAROLINA

U.S.A. vs. Jeffrey Lee Fannin

Docket No. 5:21-CR-392-1M

Petition for Action on Supervised Release

COMES NOW Courtney L. Thomas, U.S. Probation Officer of the court, presenting a petition for modification of the Judgment and Commitment Order of Jeffrey Lee Fannin, who, upon an earlier plea of guilty to Receipt of Child Pornography, in violation of 18 U.S.C. §§ 2252A(a)(2)(A) and (b)(1), was sentenced by the Honorable Thomas D. Schroeder, United States District Judge, on January 18, 2017, to the custody of the Bureau of Prisons for a term of 72 months. It was further ordered that upon release from imprisonment the defendant be placed on supervised release for a period of 120 months. Jeffrey Lee Fannin was released from custody on September 24, 2021, at which time the term of supervised release commenced in the Eastern District of North Carolina. On October 18, 2021, Transfer of Jurisdiction was granted from the Middle District of North Carolina to the Eastern District of North Carolina and the case was assigned to the Honorable Richard E. Myers, II, Chief United States District Judge.

RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT FOR CAUSE AS FOLLOWS: On April 2, 2024, the defendant submitted to a routine polygraph examination. Prior to the examination, the defendant admitted to having three electronic devices, with internet capabilities, that were not previously disclosed to his probation officer. The defendant was verbally reprimanded for having the devices, and with his consent the devices were confiscated. Due to his violation conduct and the recommendation of our sex offender therapist, it is respectfully recommended that the defendant submit to computer monitoring to ensure compliance with his conditions of supervision. Furthermore, it is respectfully recommended that the devices confiscated be released to Homeland Security or any other law enforcement agency that may need to assist in the evaluation of the items seized for forensic examination. The results will be reported to the probation office to determine if further action is warranted. The defendant signed a Waiver of Hearing agreeing to the proposed modification of supervision.

PRAYING THAT THE COURT WILL ORDER that supervised release be modified as follows:

1. At the direction of the U.S. Probation Officer, the defendant shall consent to the installation of systems or software that will allow the probation officer or designee to monitor computer use on any computer that the defendant owns or is authorized to use. The defendant shall pay the costs of this monitoring.
2. The defendant shall not use, possess, or control any computer-based counter forensic tools. The defendant shall not use or have installed any programs specifically and solely designed to encrypt data, files, folders, or volumes of any media. The defendant shall, upon request, immediately provide the U.S. Probation Officer with any and all passwords required to access data compressed or encrypted for storage by any software.

Except as herein modified, the judgment shall remain in full force and effect.

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Reviewed and approved,

I declare under penalty of perjury that the foregoing
is true and correct.

/s/ Keith W. Lawrence
Keith W. Lawrence
Supervising U.S. Probation Officer

/s/ Courtney L. Thomas
Courtney L. Thomas
U.S. Probation Officer
150 Rowan Street Suite 110
Fayetteville, NC 28301
Phone: 910-354-2554
Executed On: April 3, 2024

ORDER OF THE COURT

Considered and ordered this 4th day of April, 2024, and ordered filed and
made a part of the records in the above case.

Richard E. Myers II
Richard E. Myers, II
Chief United States District Judge